

FILED
3/10/23 9:51 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
Michael J. Oslacky) Case No. 23-20213 – JAD
& Joyce L. Oslacky)
Debtor(s).) Chapter 13
X Related to ECF No. 28

ORDER OF COURT
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis ☒ Chapter 13 Plan dated:
2/8/23
☐ Authorizing Distributions Under Plan ☐ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate Protection _____

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$1,543.00 effective 2/1/23.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$1,558.00, beginning 3/23. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:

- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

-
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☐ K. Additional Terms and Conditions:
-

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: March 10, 2023


JEFFERY A. DELER^h
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:
Michael J. Oslacky
Joyce L Oslacky
Debtors

Case No. 23-20213-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 10, 2023

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 48

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 12, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Michael J. Oslacky, Joyce L Oslacky, 517 Highland Avenue N, Oakdale, PA 15071-1121
15576889	Ally Bank, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15567390	+ Frist Savings Credit Card, 500 E. 60th Street N, Sioux Falls, SD 57104-0478
15567405	TD Bank/Target Credit, 70000 Target Parkway N, Mail Stop NCD-0450, Brooklyn Park, MN 55445
15567406	The Sleep Wellness Center, 993 Brodhead Road, Suite 200, Moon Twp., PA 15108-2305

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 10 2023 23:57:51	Ally Bank, c/o AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 10 2023 23:58:06	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: rmscedi@recoverycorp.com	Mar 10 2023 23:57:51	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15567378	+ Email/Text: ally@ebn.phinsolutions.com	Mar 10 2023 23:55:00	Ally Financial, P.O. Box 380901, Bloomington, MN 55438-0901
15567379	+ Email/Text: GSBankElectronicBankruptcyNotice@gs.com	Mar 10 2023 23:55:00	Apple Card-GS Bank, Lockbox 6112, P.O. Box 7247, Goldman Sachs Bank, Philadelphia, PA 19170-0001
15567380	+ Email/Text: bk@avant.com	Mar 10 2023 23:55:00	Avant/Webbank, 222 N. LaSalle Street, Suite 1600, Chicago, IL 60601-1112
15567381	+ Email/PDF: MarletteBKNotifications@resurgent.com	Mar 10 2023 23:58:11	Best Egg, 1523 Concord Pike, Suite 201, Wilmington, DE 19803-3656
15567382	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 10 2023 23:58:20	Capital One, P.O. Box 31293, Salt Lake City, UT 84131-0293
15567383	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Mar 10 2023 23:58:22	Capital One Auto Finance, P.O. Box 259407, Plano, TX 75025-9407
15579039	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 10 2023 23:57:50	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15572683	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 10 2023 23:57:49	Capital One N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15567384	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 10 2023 23:55:00	Comenity Bank/Comenity Card, 3075 Loyalty Circle, P.O. Box 182789, Columbus, OH 43218-2789
15567385	+ Email/PDF: creditonebknofications@resurgent.com		

District/off: 0315-2

User: auto

Page 2 of 3

Date Rcvd: Mar 10, 2023

Form ID: pdf900

Total Noticed: 48

		Mar 10 2023 23:57:51	Credit One Bank, 6801 S. Cimarron Road, Las Vegas, NV 89113-2273
15569229	Email/Text: mrdiscen@discover.com		
		Mar 10 2023 23:55:00	Discover Bank, P.O. Box 15316, Wilmington, DE 19850
15567388	Email/Text: collecadminbankruptcy@fnni.com		
		Mar 10 2023 23:55:00	FNB Omaha, P.O. Box 3412, Omaha, NE 68197
15573481	Email/Text: collecadminbankruptcy@fnni.com		
		Mar 10 2023 23:55:00	First National Bank of Omaha, 1620 Dodge Street, Stop Code 3113, Omaha, Nebraska 68197
15569228	Email/Text: BNSFS@capitalsvcs.com		
		Mar 10 2023 23:55:00	First Savings Credit Card, 500 E. 60th Street, Sioux Falls, SD 57104
15567387	Email/Text: BNBLAZE@capitalsvcs.com		
		Mar 10 2023 23:55:00	First Savings Bank-Blaze Credit Card, P.O. Box 5065, Sioux Falls, SD 57117
15567386	+ Email/Text: GenesisFS@ebn.phinsolutions.com		
		Mar 10 2023 23:55:00	Feb Destiny, P.O. Box 4499, Beaverton, OR 97076-4499
15567389	+ Email/Text: Atlanticus@ebn.phinsolutions.com		
		Mar 10 2023 23:55:00	Fortiva MC/TBOM, 5 Concourse Parkway, Suite 400, Atlanta, GA 30328-9114
15567391	+ Email/Text: ccusa@ccuhome.com		
		Mar 10 2023 23:55:00	Heritage Valley Sewickley, c/o Credit Collections Co., 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209
15567392	Email/PDF: ais.chase.ebn@aisinfo.com		
		Mar 10 2023 23:57:49	JPMCB-Card Services, 301 N. Walnut Street, Floor 09, Wilmington, DE 19801
15567393	+ Email/Text: accountservicing@trueaccord.com		
		Mar 10 2023 23:55:00	Klarna, c/o True Accord, 16011 College Blvd., Suite 130, Lenexa, KS 66219-9877
15567394	+ Email/Text: PBNCNotifications@peritusservices.com		
		Mar 10 2023 23:55:00	Kohl's/Capital One, P.O. Box 3115, Milwaukee, WI 53201-3115
15567395	+ Email/PDF: resurgentbknotifications@resurgent.com		
		Mar 10 2023 23:57:52	LVNV Funding, 55 Beattie Place, Greenville, SC 29601-5115
15570242	Email/PDF: resurgentbknotifications@resurgent.com		
		Mar 10 2023 23:58:22	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15567397	Email/Text: ml-ebn@missionlane.com		
		Mar 10 2023 23:55:00	Mission Lane Tab Bank, 101 2nd Street, Suite 350, San Francisco, CA 94105
15567396	^ MEBN		
		Mar 10 2023 23:50:49	Mariner Finance, 5802 E. Virginia Beach Blvd., Suite 121, Norfolk, VA 23502-2483
15576352	+ Email/Text: bankruptcydpt@mcmcg.com		
		Mar 10 2023 23:55:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15567398	+ Email/PDF: MerrickBKNotifications@Resurgent.com		
		Mar 10 2023 23:57:50	Olo/Ally, 1511 Friendship Road, Jefferson City, MO 65101-8703
15573717	Email/Text: bnc-quantum@quantum3group.com		
		Mar 10 2023 23:55:00	Quantum3 Group LLC as agent for, Genesis FS Card Services Inc, PO Box 788, Kirkland, WA 98083-0788
15575564	Email/Text: bnc-quantum@quantum3group.com		
		Mar 10 2023 23:55:00	Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788
15567399	+ Email/Text: bankruptcyteam@quickenloans.com		
		Mar 10 2023 23:55:00	Rocket Mortgage, 1050 Woodward Avenue, Detroit, MI 48226-3573
15574988	+ Email/Text: bankruptcyteam@quickenloans.com		
		Mar 10 2023 23:55:00	Rocket Mortgage, LLC f/k/a Quicken Loans, at. el, 635 Woodward Avenue, Detroit MI 48226-3408
15567700	+ Email/PDF: gecsed@recoverycorp.com		
		Mar 10 2023 23:58:21	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15567401	+ Email/PDF: gecsed@recoverycorp.com		
		Mar 10 2023 23:58:05	Synchrony Bank/Care Credit, P.O. Box 965036, Orlando, FL 32896-5036
15567402	+ Email/PDF: gecsed@recoverycorp.com		
		Mar 10 2023 23:58:20	Synchrony Bank/Lowes, 4125 Windward Plaza,

District/off: 0315-2

User: auto

Page 3 of 3

Date Rcvd: Mar 10, 2023

Form ID: pdf900

Total Noticed: 48

15567403	+ Email/PDF: gecsed@recoverycorp.com	Mar 10 2023 23:58:05	Alpharetta, GA 30005-8738 Synchrony Bank/Sam's Club, 4125 Windward Plaza, Alpharetta, GA 30005-8738
15567404	+ Email/Text: Atlanticus@ebn.phinsolutions.com	Mar 10 2023 23:55:00	TBOM/Aspire, 5 Concourse Parkway, Atlanta, GA 30328-5350
15567407	Email/Text: bknotice@upgrade.com	Mar 10 2023 23:55:00	Upgrade, 275 Battery Street, 22nd Floor, San Francisco, CA 94111
15567408	Email/Text: bankruptcies@uplift.com	Mar 10 2023 23:55:00	Uplift, 440 N. Wolfe Road, Sunnyvale, CA 94085
15567409	+ Email/Text: LCI@upstart.com	Mar 10 2023 23:55:00	Upstart, 2950 South Delaware Street, San Mateo, CA 94403-2580
15569158	^ MEBN	Mar 10 2023 23:51:02	Upstart Network, Inc, PO BOX 1931, Burlingame, CA 94011-1931

TOTAL: 43

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Rocket Mortgage, LLC f/k/a Quicken Loans, LLC
15567400		St. Clair Hospital

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 12, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 10, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Rodney D. Shepherd	on behalf of Debtor Michael J. Oslacky rodsheph@cs.com
Rodney D. Shepherd	on behalf of Joint Debtor Joyce L Oslacky rodsheph@cs.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5